EA 82-0893 31 March 1982

MEMORANDUM FOR THE RECORD

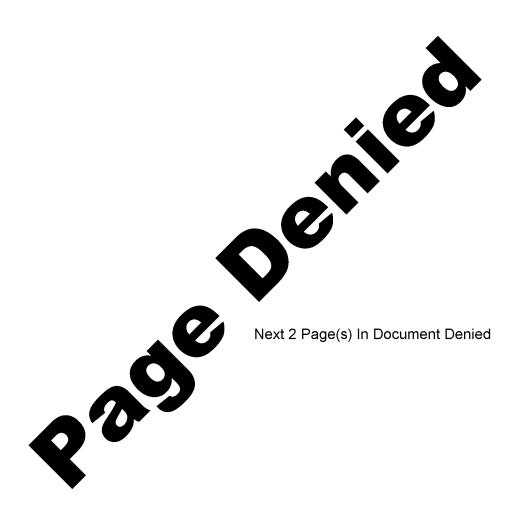
SUBJECT: Foreign Missions Act, S.854

- 1. Subject legislation may be considered on the Senate floor for final passage shortly after the Members return from the Easter recess (last two weeks in April).
- 2. As stated in the Senate Foreign Relations Committee Report, the purpose of this legislation is:
 - "...to address a serious and growing imbalance between the treatment accorded in many countries to official missions of the [U.][S.], and that made available to foreign government missions in the [U.][S.]. At present, the Department of State lacks authority compared to that enjoyed by many other governments to enforce reciprocity in an appropriate manner." (Senate Report 97-283, page 1.)
- 3. The legislation would establish an Office of Foreign Missions (Office) within the Department of State whose main purpose is to dispense "benefits" (as defined in the Bill; see attached) to foreign missions. Such benefits would be dispensed via the Office "...on such terms and conditions as the Secretary may approve." The legislation specifically lists--although not exhaustively--the terms and conditions the Secretary may establish. Additionally, a key provision deals with the location of foreign missions in the District of Columbia via the establishment of a D.C. Foreign Missions Commission whose membership includes the Secretary of Defense, among others.
- 4. We have been monitoring this legislation since its inception. Our position on the subject has been that the legislation posed no threat to Agency equities. Moreover, we didn't want to "flag" intelligence interest in foreign missions via specific statutory language. The Bill, as drafted, provided ample room for intelligence input via State or SecDef channels. This accounted for our desire not to endorse any amendments which would have signaled Intelligence Community interests especially with regard to locations of foreign missions in the District. Accordingly, it was decided that the Agency would not get out front on the legislation but rather would provide behind-the-scenes "muted" support on the Hill to State should that be required (Ref: OGC 82-06397, 30 July 1981, "Foreign Missions").

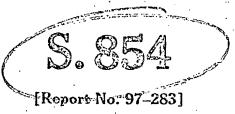
4. Nevertheless, Senator Henry Jackson (D., WA) is concerned that the Bill, as written, leaves too much to the discretion of the Secretary of State. In order to guarantee that national security equities are taken into account, no matter what the tenor of the administration in power, Senator Jackson's staff has drafted an amendment creating a new Section 211 calling for the President to approve procedures and guidelines within whose parameters the Secretary of State must act in exercising the authorities granted the latter in the statute. The proposed amendment—which will be offered on the Floor by Senator Charles Percy (R., IL), Chairman of the Senate Foreign Relations Committee—is attached, along with sectional analysis. Senator Jackson's staff has asked for a letter from the DCI in support of the Percy Floor amendment. The DCI's draft letter is attached for coordination.

	Chief, House Liaison	
	,	
Attachments As stated		
Distribution:		
Original - LLD Subject		•
1 - LLD Chrono	·	<u> </u>
1 - OGC		STAT
1 - C/CCIS/ICS		STAT
1 - SSA/DDA		STAT
1 - C/PCS/DUU		
LLD: (30 March 1982)	·	STAT
rewritten:mm (1 April 1982)		

STAT







To promote the orderly conduct of international relations by facilitating the operation of foreign missions in the United States, thereby promoting the secure and efficient operation of United States missions abroad.

IN THE SENATE OF THE UNITED STATES

APRIL 1 (legislative day, FEBRUARY 16), 1981

Mr. Percy (for himself, Mr. Glenn, and Mr. Pressler) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

June 2 (legislative day, June 1), 1981

Ordered, that if and when reported, the bill be referred to the Committee on Governmental Affairs for a period of ninety calendar days, excluding weekends, holidays, and those periods when the Senate is not in session

June 4 (legislative day, June 1), 1981

Ordered, that if and when reported, the bill be referred to the Committee on Governmental Affairs for a period of forty-five calendar days, excluding weekends, holidays, and those periods when the Senate is not in session

NOVEMBER 30, 1981

Reported by Mr. PERCY, with amendments

[Omit the part struck through and insert the part printed in italic]

NOVEMBER 30, 1981

Referred to the Committee on Governmental Affairs pursuant to the order of June 4, 1981

A BILL

To promote the orderly conduct of international relations by facilitating the operation of foreign missions in the United

1	priate benefits, privileges, and immunities for those missions
2	and organizations and to require their observance of corre
3	sponding obligations in accordance with international law.
4	"(c) The assistance to be provided to a foreign mission
5	in the United States shall be determined after due considera
6	tion of the benefits, privileges, and immunities provided to
7	missions of the United States in the country or territory rep
8	resented by that foreign mission.
9	"DEFINITIONS
10	"Sec. 202. (a) For purposes of this title—
11	"(1) 'benefit' (with respect to a foreign mission)
12	means any acquisition, or authorization for an acquisi-
13	tion, in the United States by or for a foreign mission,
14	including the acquisition of—
15	"(A) real property by purchase, lease, ex-
16	change, construction, or otherwise,
17	"(B) public services, including services relat-
18	ing to customs, importation, and utilities, and the
19	processing of applications or requests relating to
20	public services,
21	"(C) supplies, maintenance, and transporta-
22	tion,
23	"(D) locally engaged staff on a temporary or
24	regular basis,
25	"(E) travel and related services, and

1	•	"(F) protective services,
2		and includes such other benefits as the Secretary may
3		designate;
4	· · ·	"(2) 'chancery' means the principal offices of a
5	• • • • •	foreign mission used for diplomatic or related purposes,
6		and annexes to such offices (including ancillary offices
7	: :	and support facilities), and includes the site and any
8		building on such site which is used for such purposes;
9		"(3) 'Director' means the Director of the Office of
10		Foreign Missions established pursuant to section
11	• • • •	203(a);
12		"(4) 'foreign mission' means any official mission to
13		the United States involving diplomatic, consular, or
14		other governmental activities of-
15		"(A) a foreign government, or
16		"(B) an organization other than an interna-
17		tional organization, as defined in section 209(b) of
18		this title) representing a territory or political
19	;	entity which has been granted diplomatic or other
20		official privileges and immunities under the laws
21	·	of the United States,
22		including any real property of such a mission and in-
23		cluding the personnel of such a mission;
24 -		"(5) 'real property' includes any right, title, or in-
25		tcrest in or to, or the beneficial use of, any real prop-

97th Congress
1st Session

SENATE

Report No. 97-283

FOREIGN MISSIONS ACT OF 1982

NOVEMBER 30, 1981.—Ordered to be printed

Mr. Percy, from the Committee on Foreign Relations, submitted the following

REPORT

together with

MINORITY VIEWS

[To accompany S. 854]

The Committee on Foreign Relations, to which was referred the bill (S. 854) to promote the orderly conduct of international relations by facilitating the operation of foreign missions in the United States, thereby promoting the secure and efficient operation of United States missions abroad, having considered the same, reports favorably thereon with amendment(s) and recommends that the bill (as amended) do pass.

PURPOSE

The purpose of S. 854 is to address a serious and growing imbalance between the treatment accorded in many countries to official missions of the United States, and that made available to foreign government missions in the United States. At present, the Department of State lacks authority compared to that enjoyed by many other governments to enforce reciprocity in an appropriate manner.

S. 854, as proposed by Senator Percy, provides mechanisms whereby the operations of foreign missions in the United States and the benefits available to them from Federal, State and local authorities, public utilities, and private persons may be cleared through the Federal Government and adjusted according to United States needs abroad as well as national security interests here at home. In this way, the conditions under which foreign missions

89-010 O

 Π

97TH CONGRESS 1ST SESSION

S. 854

[Report No. 97-283]

To promote the orderly conduct of international relations by facilitating the operation of foreign missions in the United States, thereby promoting the secure and efficient operation of United States missions abroad.

IN THE SENATE OF THE UNITED STATES

APRIL 1 (legislative day, FEBRUARY 16), 1981

Mr. Percy (for himself, Mr. Glenn, and Mr. Pressler) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

June 2 (legislative day, June 1), 1981

Ordered, that if and when reported, the bill be referred to the Committee on Governmental Affairs for a period of ninety calendar days, excluding weekends, holidays, and those periods when the Senate is not in session

June 4 (legislative day, June 1), 1981

Ordered, that if and when reported, the bill be referred to the Committee on Governmental Affairs for a period of forty-five calendar days, excluding weekends, holidays, and those periods when the Senate is not in session

NOVEMBER 30, 1981

Reported by Mr. PERCY, with amendments

[Omit the part struck through and insert the part printed in italic]

NOVEMBER 30, 1981

Referred to the Committee on Governmental Affairs pursuant to the order of June 4, 1981

A BILL

To promote the orderly conduct of international relations by facilitating the operation of foreign missions in the United

Approved For Release 2008/01/03 : CIA-RDP84B00148R000300780023-4

10	: ΝΑΚΧΝΑΚΑ D/OEXA	via: DD/OEXA	via: NDL	DATE OF REQUEST	
				0 8 AFR 1982	
FROM :	:				STAT
SUBJECT:	Percy Floor Amendmen	it to S.854, the	"Foreign Missions Act'	1	
	-				
NOTES					
NOTES					
	Attached for transmitt support of a Senator 3 Act", as reported. Ba in referenced memorand	Jackson amendment ackground to the	to S.854, the "Foreign	an Missions	
	Attachment				
			·		
		1.			
				•	
COORDINATE	D WITH Clist pages as well as	offices)			 STAT
AME.			OFFICEC/LED/OGC	DATE	
(AME			OFFICE SSA/DDA	DATE	
AME			OFFICE C/CI/ICS	DATE	
AME	C/PCS/DDO		OFFICE	DATE	
AC HON REQUIR	RED BY LC				
					The ministra
			• •		

				- In l'	^
R	OUTING	AND	RECOR	D SHEET 89-40	17
SUBJECT: (Optional) Senator Charles "Foreign Miss) Floor	Amendment to S.854, the	
FROM: Director, Office of External 7D43 Hqs	ernal Afi	fairs	EXTENSION	EA 82-0893/A DATE 9 APR 1982	STA
TO: (Officer designation, room number, and building)	DAT RECEIVED	FORWARDED	OFFICER'S INITIALS	COMMENTS (Number each comment to show to whom. Draw a line across column after ea	
Executive Director	13 APR	1982	1		
2.		1		Attached for your signis a letter to Senator Per Chairman of the Foreign Re	cy, lations
3. DDCI		4/13		Committee, in support of a Senator Henry M. Jackson (amendment to S.854, the "F	D., WA) oreign
4.				Missions Act", as reported (attached). Background to Bill and the amendment is	the pro-
5. DCI	4/14	16 APR	1982	vided in referenced memora I have also attached copie the Bill, as reported, and	s of the
6. 75 /	1382	roted	- Jons	accompanying Senate Foreig Relations Report (97-283).	
BD/OEXA 19	APR 1982		V	The letter for your s ture has been coordinated OGC, DDA, CI Staff (ICS), the DDO.	with
"C/RLB					STA
10				Attachments	STA
huston ac	ter	7	OME		
Juston ac					
13.			507		STA
14.	3	9 APK	385		
15.					

FORM 610 USE PREVIOUS EDITIONS